

U.S. Patent Application Serial No. 10/784,876
Amendment filed March 29, 2007
Reply to OA dated October 31, 2006

REMARKS

Claim have been amended in order to more particularly point out, and distinctly claim the subject matter to which the applicants regard as their invention. The applicants respectfully submit that no new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated **October 31, 2006**.

Claim Rejections under 35 USC §102(e)

Claim 29 stands rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki et al.

The present invention is an image reader (100) that optically reads an image on a medium, such as paper. The image reader (100) has a housing (101) made of a synthetic resin and having a rectangular form. This housing (101) has an image reading surface (101a) that comes into contact with the medium when reading the image. This reader (101) further contains a displacement detecting unit that detects the displacement of the housing (101) of the image reader (100). The displacement detecting unit uses a roller (104) mounted on the image reading surface of the housing (101). The displacement of the housing (101) is determined by the rotation of the roller (104). Further, the reader (100) also includes an image reading unit located on the housing (101) that reads image information off the medium based on the result of the displacement of the housing (101) determined by the displacement detecting unit. Using this design the present invention has the advantage that the user

is not required to instruct or direct the reader (100) to read an image on the medium.

In other words, the image reading unit automatically starts (or terminates) reading an image according to the displacement detection provided by the displacement detecting unit.

Suzuki et al. describes a scanner having an image sensor. As indicated in column 5, lines 15-22 of Suzuki et al.

FIG. 3 shows the bottom surface of the housing 1. The scanner 100 employs a contact type line image sensor (i.e., CIS) 80. The line image sensor 80 extends along the longitudinal direction of the housing 1. An image reading surface 80A of the line image sensor 80 is made movable in a direction perpendicular to the bottom surface 14 of the housing 1, and a plane of the image reading surface 80A substantially coincides with a plane contacting rollers 141-148 (i.e., a surface of the original when the image is scanned).

In order to expedite allowance of this application, claim 29 has been amended to overcome the prior art. One feature that Suzuki et al. does not describe is the use of rollers (104) to determine displacement. Further, neither Suzuki et al. nor Chiu et al. describes the use of rollers to determine displacement and the image reading unit automatically starting and terminating reading an image based upon the displacement detection determined by the displacement detecting unit. Therefore, claim 29 has been amended to include the foregoing feature. Further claim 30 has been amended to maintain consistency with claim 29.

Therefore, claim 29 patentably distinguishes over the prior art relied upon by reciting,
“An image reader for optically reading an image on a medium by means of manual operations comprising: a housing having an image reading surface coming in contact with the medium when reading an image; a displacement detecting unit having a plurality

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of rollers for detecting a displacement of said housing; and an image reading unit provided on said housing for reading image information of the medium according to a result of detection by said displacement detecting unit, wherein said image reading unit automatically starts and terminates reading said image information based on said detected displacement of said housing provided by said displacement detecting unit using said plurality of rollers."
(Emphasis Added)

Therefore, withdrawal of the rejection of claim 29 under 35 U.S.C. 102(e) as being anticipated by Suzuki et al. is respectfully requested.

Claim Rejections under 35 USC §103(a)

Claims 30-32 and 34-37 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki in view of Chiu et al.

Chiu et al. describes a scanner and mouse which employs mouse balls (116 and 118) to determine position.

Claims 30-32 and 34-37 are allowable by virtue of their dependence from an allowable independent claim. Therefore, withdrawal of the rejection of claims 30-32 and 34-37 under 35 U.S.C. 103(a) as being unpatentable over Suzuki in view of Chiu et al. is respectfully requested.

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Double Patenting Rejection

Claims 29, 30 and 32-35 have been rejected over U.S. Patent 6,744,537 under the judicially created doctrine of obviousness double patenting.

The applicant is of the opinion that that the amendment to claim 29 also overcomes this rejection. Therefore, withdrawal of the rejection of claims 29, 30 and 32-35 over U.S. Patent 6,744,537 under the judicially created doctrine of obviousness double patenting is respectfully requested.

Conclusion

In view of the aforementioned amendments and accompanying remarks, claims, as amended, are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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Enclosures:

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